

Army Regulation 600–8–2

Personnel-General

Suspension of Favorable Personnel Actions (Flag)

**Headquarters
Department of the Army
Washington, DC
5 April 2021**

UNCLASSIFIED

SUMMARY of CHANGE

AR 600–8–2

Suspension of Favorable Personnel Actions (Flag)

This major revision, dated 5 April 2021—

- o Standardizes all time requirements (to within 3 days) for initiating and removing suspension of favorable personnel actions within Human Resources systems and for opening or closing suspension of favorable personnel actions on the DA Form 268 (Report to Suspend Favorable Personnel Actions (Flag)) (paras 1–10a, 1–10c, 2–1d, and 2–1f(5)).
- o Removes Flag code X Other and Flag code C Removal from a selection list (field initiated) (previously table 2–1).
- o Expands “Referred Evaluation Reports” suspension of favorable personnel actions to include new Academic Evaluation Reports forms: DA Form 1059 (Service School Academic Evaluation Report); DA Form 1059–1 (Civilian Institution Academic Evaluation Report); and DA Form 1059–2 (Senior Service and Command and General Staff College Academic Evaluation Report) (para 2–2c(3)).
- o Updates the initiation of suspension of favorable personnel actions code E (security violations or loss of security clearance) from field initiated only to field or Headquarters, Department of the Army initiated (para 2–2d).
- o Adds unique individual suspension of favorable personnel actions codes for the subcategories of suspension of favorable personnel actions’ code X Other: Flag code I for Army Medical Department; Flag code N for U.S. Army Reserve Component; Flag code O for judge advocates; Flag code Q for a qualifying conviction under the Lautenberg Amendment; and Flag code S for lack of Family Care Plan (paras 2–2f, 2–2i, 2–2j, 2–2l, and 2–2n).
- o Updates the initiation of suspension of favorable personnel actions code L to include flagging requirements for both preliminary inquiries and administrative investigations under AR 15–6 (para 2–2g).
- o Incorporates Army Directive 2018–22 (Retention Policy for Non-Deployable Soldiers) and adds policy for a new suspension of favorable actions code R, non-deployable for administrative reasons (not medical or legal) (para 2–2m).
- o Updates guidance to transition points for separating Soldiers while flagged for involuntary separation (para 2–2p).
- o Adds policy for the U.S. Army Reserve Command, authorizing the Deputy Chief of Staff, G–1, Personnel Management Division Chief, a civilian position, to authenticate a DA Form 268 (Report to Suspend Favorable Personnel Actions (Flag)) for code W suspension of favorable personnel actions (Headquarters Department of the Army involuntary separation or discharge) for officers identified to Show Cause for retention by a Headquarters, Department of the Army centralized promotion selection board or who have failed to initiate or have been denied a valid security clearance based on a final determination by the Department of Defense Consolidated Adjudications Facility (para 2–5b).
- o Adds requirement to provide the flagged Soldier with copies of the suspension of favorable personnel actions initiation or removal DA Form 268 (Report to Suspend Favorable Personnel Actions (Flag)) (para 2–6).
- o Adds requirement for losing command to upload appropriate transferable suspension of favorable personnel actions’ documentation to the Army Military Human Resource Record, temporary administrative folder, as outlined in AR 600–8–104 (para 2–8a(1)–(4)).

- o Adds requirement for the gaining command to download appropriate transferable suspension of favorable personnel actions' documentation from the Army Military Human Resources Record, temporary administrative folder, as outlined in AR 600–8–104 (para 2–8*b*).
- o Removes suspension of favorable personnel actions' closure report type code B for transferrable report (Army National Guard only) (previously listed in para 2–9).
- o Changes the naming of suspension of favorable personnel actions' closure report type code E from EFinal Action–Other to EFinal Report–Specified (para 2–9*a*(6) and table 2–2).
- o Adds requirement for uploading documentation showing the successful completion of, and removal from, the Army Body Composition Program to the Army Military Human Resources Record, temporary administrative folder, as outlined in AR 600–8–104 (para 2–9*b*(18)).
- o Changes policy on the removal of suspension of favorable personnel actions' code E, security violations or loss of security clearance, from field removal to Headquarters, Department of the Army removal only (para 2–9*b*(2)).
- o Adds requirement to maintain DA Form 268 (Report to Suspend Favorable Personnel Actions (Flag)) with supporting documentation for 1 year on all Soldiers who complete a Permanent Change of Station move while flagged (para 2–10*a*(4)).
- o Adds policy for attendance to a Duty Military Occupational Specialty Qualification, reclassification training for U.S. Army Reserve Soldiers (para 3–1*f*(5)).
- o Adds policy for requesting voluntary separation by flagged enlisted Soldiers under provisions of AR 635–200 and by officers under provisions of AR 600–8–24 while flagged (para 3–1*h* (4)).
- o Adds policy for the qualifications of applicants for Active Duty for Operational Support (para 3–1*k*).
- o Removes previous figures B–1 (app B).
- o Adds Flag Quick Reference pull-out (fig B–1).
- o Incorporates Army Directive 2020–06, Army Combat Fitness Test, in part, by replacing “APFT” with “ACFT” (throughout). See Army Directive 2020–06 for further guidance on how to apply the provisions of this regulation with regard to the Army Combat Fitness Test.
- o Updates DA Form 268 (Report to Suspend Favorable Personnel Actions (Flag)) (throughout).
- o Rescinds AD 2018–11, Update to Redesign of Personnel Readiness and Medical Deployability (throughout).

Personnel-General

Suspension of Favorable Personnel Actions (Flag)

By Order of the Secretary of the Army:

JAMES C. MCCONVILLE
General, United States Army
Chief of Staff

Official:


KATHLEEN S. MILLER
Administrative Assistant
to the Secretary of the Army

History. This publication is a major revision.

Summary. This regulation prescribes policies, operating rules, and steps governing the suspension of favorable personnel actions, referred to as “Flag” throughout the regulation. AR 600–8–2 has been revised to update responsibilities, add and clarify categories and application of suspension of favorable personnel actions, and updates DA Form 268 (Report to Suspend Favorable Personnel Actions (Flag)).

Applicability. This regulation applies to the Regular Army, the Army National

Guard/Army National Guard of the United States, and the U.S. Army Reserve, unless otherwise stated. It also applies to Department of the Army Civilians.

Proponent and exception authority.

The proponent of this regulation is the Deputy Chief of Staff, G–1. The proponent has the authority to approve exceptions or waivers to this regulation that are consistent with controlling law and regulations. The proponent may delegate this approval authority, in writing, to a division chief within the proponent agency or a direct reporting unit or field operating agency in the rank of colonel or the civilian equivalent. (Such approval is hereby delegated to the Commander, U.S. Army Human Resources Command.) Activities may request a waiver to this regulation by providing justification that includes a full analysis of the expected benefits and must include formal review by the activity’s senior legal officer. All waiver requests will be endorsed by the commander or senior leader of the requesting activity and forwarded through their higher headquarters to the proponent. Refer to AR 25–30 for specific guidance.

Army internal control process.

This regulation contains internal control provisions in accordance with AR 11–2 and identifies key internal controls that must be evaluated (see app C).

Supplementation. Supplementation of this regulation and establishment of command and local forms are prohibited without prior approval from the Deputy Chief of Staff, G–1 (DAPE–ZA), 300 Army Pentagon Washington, DC 20310–0300.

Suggested improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to Commander, U.S. Army Human Resources Command (AHRC–PDV–P), 1600 Spearhead Division Avenue, Department 472, Fort Knox, KY 40122–5407.

Distribution. This regulation is available in electronic media only and is intended for the Regular Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve.

Contents (Listed by paragraph and page number)

Chapter 1

Introduction, page 1

Section I

General, page 1

Purpose • 1–1, *page 1*

References and forms • 1–2, *page 1*

Explanation of abbreviations and terms • 1–3, *page 1*

Section II

Overview, page 1

Responsibilities • 1–4, *page 1*

Records management (recordkeeping) requirements • 1–5, *page 1*

Proponency • 1–6, *page 1*

Manpower resources • 1–7, *page 1*

*This regulation supersedes AR 600–8–2, dated 11 May 2016 and AD 2018–11 is rescinded upon publication of this regulation.

Contents—Continued

Levels of work • 1–8, *page 1*

Section III

Principles and Standards, page 1

The principle of support • 1–9, *page 1*

Standards of service • 1–10, *page 1*

Information accountability and transparency • 1–11, *page 1*

Chapter 2

Policy and Management of Flag, page 1

General policy • 2–1, *page 1*

Circumstances requiring a nontransferable Flag • 2–2, *page 1*

Circumstances requiring a transferable Flag • 2–3, *page 1*

Effective date • 2–4, *page 1*

Authentication • 2–5, *page 1*

Notification • 2–6, *page 1*

Rules for initiating a Flag • 2–7, *page 1*

Rules for transferring a Flag • 2–8, *page 1*

Removal of a Flag • 2–9, *page 1*

Records management • 2–10, *page 1*

Chapter 3

Prohibitions and Retention of Flagged Personnel, page 1

Actions prohibited by a Flag • 3–1, *page 1*

Retention beyond expiration of terms of service or mandatory retirement date • 3–2, *page 1*

Appendixes

A. References, *page 1*

B. Quick Reference Pull-out, *page 1*

C. Internal Control Evaluation, *page 1*

Table List

Table 2–1: Reason codes—, *page 1*

Table 2–2: Report Type Codes, *page 1*

Figure List

Figure B–1: Flag Quick Reference, *page 1*

Glossary

Chapter 1 Introduction

Section I

General

1–1. Purpose

This regulation prescribes Army policy for the suspension of favorable personnel actions (Flag) function of the military personnel system. It is linked to AR 600–8 and provides principles of support, standards of service, and policies regarding the initiation, transfer, removal, and management of Flag.

1–2. References and forms

See appendix A.

1–3. Explanation of abbreviations and terms

See glossary.

Section II

Overview

1–4. Responsibilities

- a. Deputy Chief of Staff, G–1.* The DCS, G–1 will—
 - (1) Serve as the Department of the Army (DA) policy proponent of the Army flagging or Flag system.
 - (2) Exercise DA responsibility on all matters concerning Flag.
 - (3) Serve as the senior Army official on all matters concerning Flag.
 - (4) Formulate new policies as the need arises.
- b. Commanding General, U.S. Army Human Resources Command.* The CG, HRC will—
 - (1) Clarify policies and grant exceptions on a case-by-case basis to policies as they relate to this regulation.
 - (2) Initiate and manage Headquarters, Department of the Army (HQDA) level Flag for—
 - (a)* Consideration of removal from a centralized selection promotion list or command list (AHRC–PDV–P).
 - (b)* Consideration of removal from a semi-centralized selection promotion list (AHRC–PDV–P).
 - (c)* Initiated involuntary separation (AHRC–OPL–R (officer) and AHRC–EPF–M (enlisted)).
 - (d)* Directed adverse action (AHRC–PDV–PS).
 - (3) Execute the provisions of this regulation for individual ready reserve and individual mobilization augmentee Soldiers and provide oversight of Flag for the U.S. Army Reserve (USAR) Active Guard Reserve (AGR) Soldiers.
- c. Chief, National Guard Bureau.* The CNGB, or the Director, Army National Guard, if so delegated, is responsible for the overall administration of a flagging system for Army National Guard (ARNG) Title 10, United States Code (10 USC) Soldiers performing Active Guard Reserve (AGR) duty under 10 USC. CNGB will—
 - (1) Recommend ARNG policy changes to the DCS, G–1 regarding Flag and provide oversight to ensure compliance with the provisions of this regulation for all ARNG Soldiers (including those ordered to active duty for 30 days or less).
 - (2) In coordination with state adjutants general, manage HQDA level Flag on ARNG/Army National Guard of the United States (ARNGUS) Soldiers for—
 - (a)* Consideration of removal from a centralized selection promotion list or ARNGUS unit vacancy promotion list undergoing Federal recognition (ARNG–HRP).
 - (b)* Directed adverse action (ARNG–HRP).
 - (3) Ensure that state adjutants general are responsible for the overall administration of a flagging system for ARNG Soldiers within their state and Provide oversight to ensure compliance with the provisions of this regulation.
 - (4) Ensure that the Chief, National Guard Bureau General Officer Management Office, is responsible for the management of Flag for ARNG general officers.
 - (5) Ensure that when state adjutants general deem reassignment necessary for the purpose of maintaining good discipline, morale, or unit order, ARNG Soldiers are reassigned within the same installation or command. Soldiers with a nontransferable Flag may not be reassigned into the inactive Army National Guard.

(6) Ensure that state adjutants general conduct internal controls evaluations at least once every 5 years. Certification that the evaluation has been conducted must be accomplished on DA Form 11–2 (Internal Control Evaluation Certification). Ensure that state adjutants general answer the following test questions as a part of internal control evaluations:

- (a) Are procedures in place to provide oversight of Flag management?
- (b) Are procedures in place to reconcile Flag rosters with installation U.S. Army Criminal Investigation Command (USACIDC) investigations and Army Substance Abuse Program (ASAP) violations?
- (c) Are procedures in place to ensure Soldiers do not permanent-change-of-station (PCS) or separate with non-transferable Flag?
- (d) Are procedures in place to ensure transferable Flag and supporting documentation are uploaded to the Soldier's AMHRR in accordance with AR 600–8–104?
- (e) Are procedures in place to ensure the required documents are uploaded to the AMHRR in accordance with AR 600–8–104, for Soldier's that are removed from the Army Body Composition Program (ABCP)?
- (f) Are installations including Flag data into their Soldier Risk Reduction Program in accordance with DA Pam 600–24?

d. Chief, Army Reserve. The CAR is responsible for the overall administration of a flagging system for USAR Soldiers (including those ordered to active duty for 30 days or less). Regional support commands and major subordinate commands within and throughout the USAR will execute the provisions of this regulation for troop program unit Soldiers. The CAR will recommend USAR policy changes to the DCS, G–1 regarding Flag and provide oversight to ensure compliance with the provisions of this regulation.

e. Commanders, regional support commands. These commanders will provide oversight of Flag management for USAR AGR Soldiers within their region.

f. Commanders, geographical and functional commands. These USAR commanders will provide oversight of Flag management for Soldiers within their commands.

g. Chief, General Officer Management Office. The chief for the Regular Army and the USAR is responsible for the management of Flag for his or her component's general officers.

h. Commander, U.S. Army Material Command (AMC). The Commander, through subordinate garrisons, will—

- (1) Ensure military personnel divisions (MPDs) provide Flag management and oversight for non-Personnel Service Delivery Redesign units within their jurisdiction.
- (2) Ensure MPDs establish procedures to ensure Soldiers do not conduct a PCS move or separate from the Service with nontransferable Flag unless otherwise provided for in this regulation.
- (3) Ensure MPDs establish procedures to verify DA Form 268 (Report to Suspend Favorable Personnel Actions (Flag) and supporting documents for Soldiers PCSing with transferable Flag are uploaded to the Soldier's Army Military Human Resource Record (AMHRR) and are available to the gaining installation.

i. Commanders of Army commands, Army service component commands, and direct reporting units. These commanders at all levels will ensure that when circumstances require imposition of a Flag, Soldiers in their command are flagged, and will provide oversight of subordinate units to ensure compliance with the provisions of this regulation.

j. Commandant, Adjutant General School. The commandant will ensure the development and dissemination of lesson programs of instruction incorporating the provisions of this regulation and Flag management for human resources (HR) personnel and for command leadership.

1–5. Records management (recordkeeping) requirements

The records management requirement for all record numbers, associated forms, and reports required by this regulation are addressed in the Army Records Retention Schedule-Army (RRS–A). Detailed information for all related record numbers, forms, and reports are located in Army Record Information Management System (ARIMS)/RRS–A at <https://www.arims.army.mil>. If any record numbers, forms, and reports are not current, addressed, and/or published correctly in ARIMS/RRS–A, see DA Pam 25–403 for guidance.

1–6. Propensity

Proponents for the flagging action program are as follows:

- a. Policy.* The DCS, G–1 (DAPE–MPE).
- b. Functional.* The CG, HRC (AHRC–PDV–P).
- c. Branch.* The Commandant, Adjutant General School (ATSG–AG).

1–7. Manpower resources

The Flag function is the responsibility of commanding officers at all levels and the functional responsibility of the brigade (BDE) adjutant (S–1), battalion (BN) S–1, and MPD. Manpower officials will use the average number of

authorized Soldiers in the supported population during the preceding 12 months as the workload factor (obtained in Manpower Staffing Standards Systems) to determine the manpower authorizations.

1–8. Levels of work

Most human resource work in the field is performed at three primary levels: unit, BN, and BDE or MPD. The focus of the guidance in this regulation is on those three levels.

Section III

Principles and Standards

1–9. The principle of support

This regulation institutes a system to guard against the execution of specified favorable personnel actions for Soldiers in a Flagged status.

1–10. Standards of service

- a. A DA Form 268 and HR system input will be initiated within 3 working days when a Soldier's status changes from favorable to unfavorable.
- b. Active Flag cases will be reviewed at least monthly. Unit level commanders will review and validate Flag reports monthly. BN level commanders will review and validate all Flag over 6 months old monthly.
- c. A Flag will be removed within 3 working days after the Soldier's status changes from unfavorable to favorable.
- d. Commands must understand the precedence of the Disability Evaluation System (DES) to administrative separation as set forth in AR 135–175, AR 135–178, AR 600–8–24; AR 635–200, and AR 635–40, as well as when a Soldier is considered referred to the DES in accordance with AR 635–40. This knowledge is required for not imposing or lifting a flag where DES takes precedence. Where there is ambiguity, the unit must clarify with the policy proponent for the administrative separation Army regulation and the proponent for AR 635–40.

1–11. Information accountability and transparency

Records created under the purview of this regulation, regardless of content or format, will be kept, at a minimum, in accordance with the retention schedules found at <https://www.arims.army.mil>. ARIMS is a role-based system managed and operated by the U.S. Army Records Management and Declassification Agency (RMDA). The primary purpose of ARIMS is to provide authorized personnel with Web-based tools and technology to manage both hardcopy and electronic Army records. Additional requirements at the State level, including statutory, legal, financial, or administrative by the authority of the State's governor and adjutant general, will be governed by 32 USC and managed in accordance with State policy. Note that information used in decision-making and business processes is Army record material (whether stored electronically or as a hard copy), and is scheduled, maintained, and preserved in accordance with AR 25–400–2.

Chapter 2

Policy and Management of Flag

2–1. General policy

- a. The purpose of a Flag is to prevent and/or preclude—
 - (1) Execution of favorable actions to a Soldier.
 - (2) Movement of a Soldier when it is in the best interests of the Army for the Soldier to remain in his or her current unit or at his or her current location until cleared of ongoing actions. Should the command determine that it is in the best interests of the Army to PCS the Soldier even though he or she has not been cleared of ongoing actions, the command may do so in accordance with paragraph 2–8; however, the Flag will remain in place.

Note. Soldiers with nontransferable Flag may be reassigned on a case-by-case basis when the Soldier's personnel management division at HRC or other component headquarters directs the transfer.

- b. Flag are not used for punishment or restriction, but only as an administrative tool.
- c. The Flag is not the final disposition. A Flag is emplaced during some type of disciplinary or administrative action until that action is concluded.

d. The Flag will be initiated within 3 working days after identification of the Soldier's circumstances requiring imposition of a Flag and removed within 3 working days after determination that the Soldier no longer has circumstances requiring a Flag.

e. The suspension of favorable actions on a Soldier is mandatory when military or civilian authorities initiate any investigation or inquiry that may potentially result in disciplinary or adverse administrative action. Commanders, general officer staff heads, and heads of HQDA staff agencies (to include the DA Suitability Evaluation Board) must ensure that favorable personnel actions are suspended in accordance with the criteria contained in this regulation.

f. Commanders and general officer staff heads will establish necessary internal controls to ensure the following requirements are met:

(1) DA Form 268 is prepared to reflect that favorable personnel actions are suspended with regard to the affected Soldier and the Flag is input into HR systems without delay.

(2) Only those with a "need to know" of a Flag are informed. A person has a "need to know" only if he or she must have access to knowledge, or possession of the Flag, in order to perform official duties.

(3) Flag information will support the Health Promotion, Risk Reduction, and Suicide Prevention policy for information sharing described in AR 600-63 and DA Pam 600-24.

(4) Favorable actions are not taken when prohibited by this regulation. The MPD supporting personnel office, BDE S-1, or other authorized records custodian for the Soldier will also use appropriate reports or processes to prevent the execution of favorable personnel actions for flagged Soldiers.

(5) DA Form 268 is prepared to remove a Flag when the Soldier's status changes from unfavorable to favorable and the Flag is removed from the HR systems within 3 working days.

g. Flag are classified into two categories depending on the specific action or investigation:

(1) *Nontransferable*. The flagged Soldier may not be voluntarily transferred to another unit, or transferred to or between, another Army component (except as provided for in para 2-8).

(2) *Transferable*. The flagged Soldier may be transferred to another unit.

h. The policy in this regulation applies to all general officers. However, general officers will not be flagged in their component's HR system of record, to include Army Combat Fitness Test (ACFT), and ABCP Flag. Units will submit DA Form 268 with supporting documentation to the General Officer Management Office which will input the Flag into, or remove the Flag from, the component's internal general officer management system. Commander's investigations of general officers are conducted by The Inspector General and the General Officer Management Office will Flag general officers during these investigations and during law enforcement investigations.

i. Commanders and supervisors will not initiate flagging actions for individuals under Inspector General Investigation in accordance with AR 20-1. However, if The Inspector General refers an investigation to the command and an investigation is then initiated by the command, flagging actions will be initiated based on the command investigation in accordance with this regulation. This provision does not preclude HRC or another similar DA-level agency from initiating a DA-level Flag on individuals identified, as a result of a DA Inspector General record screen, as having a substantiated finding from an Inspector General investigation or investigative inquiry or pending Inspector General investigation in order to stop a promotion or assignment until the Inspector General investigation is concluded.

2-2. Circumstances requiring a nontransferable Flag

A Soldier flagged under the provisions of this paragraph may not be voluntarily reassigned to another unit or component unless specifically authorized by this regulation. This restriction does not apply to reassignments required by law. The specific actions or investigations listed below require initiation of a nontransferable Flag (see table 2-1 and fig B-1). More than one Flag may be required concurrently. Examples of circumstances requiring nontransferable Flag include—

a. *Flag code A "Adverse actions."* Commanders must Flag Soldiers for adverse actions including, but not limited to (except drug or alcohol related offenses which will be flagged code U or V):

(1) Initiation of proceedings under Article (ART) 15, Uniform Code of Military Justice (UCMJ, ART 15); courtmartial proceedings (immediately upon preferral of charges or pretrial confinement); or civilian criminal charges, restraint, or confinement. This Flag may appropriately overlap with Flag code L or M above, as warranted.

(2) Initiation of proceedings for administrative reduction in grade for inefficiency or misconduct in accordance with AR 600-8-19.

(3) Initiation of a nonpunitive memorandum of reprimand, censure, or admonishment. The Flag will be effective on the day the offense leading to the memorandum took place. This Flag may appropriately overlap with Flag code L or M above, as warranted.

(4) Soldier is absent without leave (AWOL) in accordance with AR 630-10. For all Soldiers, submit the initial Flag on the second day of AWOL effective the first day of AWOL.

b. Flag code B “Involuntary separation or discharge” (field initiated). Soldiers pending involuntary separation or discharge (AR 635–200, AR 600–8–24, AR 135–175, or AR 135–178) must be flagged (except entry level performance and conduct separations initiated under AR 635–200). Soldiers will not be flagged solely for referral, to include required referral, to the DES. The effective date of the Flag will be the date the commander signs the intent to separate notification memorandum to the Soldier. Remove the Flag when Soldier is reassigned to a transition point (Regular Army), discharge orders are published (USAR), or Soldier is retained (see para 1–10d).

c. Flag code D “Referred Evaluation Reports–inclusive.” Initiate a DA Form 268 when a referred evaluation report is initiated on a Soldier. The effective date of the Flag will be the earliest of the through date listed on the officer evaluation report (OER), academic evaluation report (AER), or noncommissioned officer evaluation report (NCOER), or the date of the infraction that is the basis of the “Relief for Cause” or “Referred Report” OER, AER, or NCOER. Referred evaluations include:

(1) *“Referred Officer Evaluation Reports.”* DA Form 67–10–1 (Company Grade Plate (O1–O3; WO1–chief warrant officer two (CW2) Officer Evaluation Report)); DA Form 67–10–2 (Field Grade Plate (O4–O5; chief warrant officer three (CW3)–chief warrant officer five (CW5)) Officer Evaluation Report)); DA Form 67–10–3 (Strategic Grade Plate (O6) Officer Evaluation Report)); DA Form 67–10–4 (Strategic Grade Plate General Officer Evaluation Report)), referred to collectively as “DA Form 67–10 series (OER)” or “OER”. Remove the Flag when the report is uploaded to the Soldier’s AMHRR.

(2) *“Relief for Cause Noncommissioned Officer Evaluation Reports.”* DA Form 2166–9–1 (NCO Evaluation Report (SGT)), DA Form 2166–9–2 (NCO Evaluation Report (SSG–1SG/MSG)), DA Form 2166–9–3 (NCO Evaluation Report (CSM/SGM)), referred to collectively as “DA Form 2166–9 series (noncommissioned officer evaluation report (NCOER))” or “NCOER”. Remove the Flag when the report is uploaded to the Soldier’s AMHRR.

(3) *“Referred Academic Evaluation Reports.”* DA Form 1059 (Service School Academic Evaluation Report); DA Form 1059–1 (Civilian Institution Academic Evaluation Report); DA Form 1059–2 (Senior Service and Command and General Staff College Academic Evaluation Report), referred to collectively as “DA Form 1059 series (academic evaluation reports (AER))”. Remove the Flag when the report is uploaded to the Soldier’s AMHRR.

d. Flag code E “Security violations” (field or Headquarters, Department of the Army initiated). HQDA initiated Flag are authenticated by HRC (AHRC–EPO–A) or the Director, ARNG (ARNG–HRP).

(1) *Matters relating to the National Security Adjudicative Guidelines.* A Flag will only be imposed if there is a reasonable belief of an individual’s inability to protect classified information when conduct raises questions about a person’s judgement, reliability, and trustworthiness and may be predictive of their willingness or ability to protect national security. This determination should be made based upon the National Security Adjudicative Guidelines cited in AR 380–67, with the ultimate determination of eligibility consistent with the best interests of national security. The commander will coordinate with the command security manager prior to implementing a flagging action. In addition, an incident report will be submitted in the Joint Personnel Adjudication System or its successor system in accordance with AR 380–67 or its successor policy. When a violation has counterintelligence implications, the commander and/or security manager are required to notify the local supporting counterintelligence office in accordance with AR 381–12 or its successor policy.

(2) *Matters related to the denial or revocation of security clearance eligibility.* Soldier will be flagged when the Department of Defense (DOD) Consolidated Adjudications Facility (CAF) denies or revokes the Soldier’s security clearance eligibility, in accordance with AR 380–67, which is required for his or her continued service. Request removal of the Flag when the Soldier’s eligibility to occupy a national security position or to have a security clearance is reinstated.

(3) *Matters related to investigation of national security crimes.* Counterintelligence investigations in which a determination has been made that the subject was or is engaged in the national security crimes of espionage, subversion, sedition, treason, or terrorist activity and the UCMJ authority has decided to pursue prosecution. Flagging action will be accomplished only in coordination with the supporting Army counterintelligence organization and the appropriate staff judge advocate.

e. Flag code F “delay of promotion or consideration for removal” from a command, promotion, or school selection list, to include an Army National Guard of the United States unit vacancy promotion list (Headquarters, Department of the Army initiated). HQDA initiated Flag are authenticated by HRC (AHRC–PDV–P) or the Director, ARNG (ARNG–HRP).

f. Flag code I “Professional licensing, certification, and competency” of Army Medical Department health care workers and veterinarians. The Surgeon General of the Army is responsible for the professional review and discipline of all Army Medical Department (AMEDD) health care workers with respect to professional competency, licensure, certification, privileges, and/or scope of practice. The Surgeon General has partially delegated this responsibility to the U.S. Army Medical Command Quality Management Division. With respect to AMEDD veterinarians, The

Surgeon General is only responsible for licensure. Only The Surgeon General (or his or her designee) may impose or remove a Flag for AMEDD personnel for reasons related to licensure, certification, clinical competency, or professional misconduct related to delivery of a health care item or service. Applicable processes are governed by 10 USC 1102, Department of Defense Manual (DODM) 6025.13 and detailed in AR 40–68.

g. *Flag code L “Commander’s investigation.”* Commanders must Flag Soldiers who are suspects or subjects of an investigation or are designated as respondents in a board. The term “investigation” is to be interpreted broadly to include any action that may result in disciplinary action or other loss to the Soldier’s rank, pay, or privileges. Examples of investigations include, but are not limited to, commander’s inquiries and both preliminary inquiries and administrative investigations under AR 15–6. If the investigating officer finds reason to suspect a Soldier who was not originally identified as a suspect, subject, or respondent, the commander must be notified and must Flag that Soldier as well. Examples triggering Flag code L include, but are not limited to, a Soldier who is a witness in an investigation but later becomes a suspect, or when an investigation has no identified respondent, but later the investigating officer finds reason to suspect a Soldier may be subject to disciplinary action. Effective date of the Flag is the earliest of the date of offense, the date the commander directs the investigation, the date the commander appoints an investigation officer, or the date the investigating officer suspects the Soldier may be subject to disciplinary action. The initiation of a DD Form 200 (Financial Liability Investigation of Property Loss) (AR 735–5), in and of itself, will not result in the initiation of a Flag.

h. *Flag code M “Law enforcement investigation.”* Commanders must Flag Soldiers identified as possible subjects or suspects by the USACIDC (or Service equivalent), military police, or civilian law enforcement during the course of an investigation. Effective date of the Flag is the date of offense or the date law enforcement identifies or titles the Soldier as a subject or suspect. Upon adjudication decision, commanders must submit a completed DA Form 4833 (Commander’s Report of Disciplinary or Administrative Action) to the provost marshal or USACIDC in accordance with AR 190–45.

i. *Flag code N “Noncompliance with 10 USC 10206” (Army National Guard/U.S. Army Reserve only).* Requirement for annual physical examinations. ARNG/USAR Soldiers failing to meet requirements will be flagged. Remove the Flag on date of compliance, expiration term of service (ETS), expiration of service agreement (ESA), or mandatory retirement date/mandatory release date.

j. *Flag code O “Professional licensing and certification of judge advocates, legal administrators, and military paralegals.”* The Judge Advocate General is responsible for the professional supervision and professional discipline of judge advocates, military trial and appellate judges, legal administrators (military occupational specialty (MOS) 270A), and military paralegals (MOS 27D). Only The Judge Advocate General (or his or her designee) may impose or remove a Flag, at his or her discretion, for judge advocates, military trial and appellate military judges, legal administrators, and military paralegals for reasons related to their professional licensing or certification of competency to act as counsel, their professional licensing or certification of qualification to act as a military trial or appellate military judge, their certification as a legal administrator or military paralegal, or for reasons related to the delivery of legal services, in accordance with 10 USC 3037, Rule for Courts-Martial 109 (Manual for Courts-Martial), AR 27–1, and AR 27–26.

k. *Flag code P “Deny automatic promotion for private through specialist.”* When a unit commander elects to deny a Soldier automatic promotion to private enlisted two (PV2), private first class (PFC), or specialist (SPC), he or she must Flag the Soldier no later than the 20th day of the month preceding the month of automatic promotion in accordance with AR 600–8–19. Remove the Flag no later than 3 working days following the date the Soldier would have been automatically promoted to PV2, PFC, or SPC.

l. *Flag code Q “Lautenberg Amendment.”* Soldiers with a qualifying conviction under the Domestic Violence Amendment to the Gun Control Act of 1968 must be flagged, as required by AR 600–20. Remove the Flag when conviction is expunged, pardoned, or set aside by competent authority, or when Soldier is transferred to transition point for separation (Regular Army) or discharge orders are published (USAR).

m. *Flag code R “Admin Non-Deployable Retention Policy for Administratively Non-Deployable Soldiers.”* Commanders must Flag all Soldiers deemed non-deployable, for an administrative (not medical or legal) reason(s) listed in Department of Defense Instruction (DODI) 1332.45, paragraph 3.5c (1)–(8), for more than 6 consecutive months, or 6 non-consecutive months in a 12-month period, as required by Army Directive (AD) 2018–22. Non-deployable time will be calculated daily with 30 days equal to 1 month, and 180 days equal to 6 months. Flag code R will be utilized in addition to, and concurrently with, an “Involuntary separation or discharge” Flag (Flag code B or W). Flag code R will be used in addition to any other required and equally appropriate Flag(s), such as Flag code S for no Family care plan or Flag code Q for Lautenberg Amendment. The R Flag does not take the place of any other required Flag code.

(1) Flag code R will be automatically system generated for Regular Army systems (manual calculation for all other components), upon meeting the 180 day threshold as stated in *m.* above. Commanders must authenticate the Flag and follow up with initiation of involuntary separation or discharge procedures, if not already in process, in accordance with DODI 1332.45, AD 2018–22, AR 635–200, AR 600–8–24, AR 135–175, or AR 135–178.

(2) Flag code R may precede or follow the initiation of involuntary separation procedures, but must be present at the time of separation if separated for one or more of the administrative reasons listed.

(3) The R Flag is the instrument by which the Army tracks Soldiers that have been identified to separate, or have separated, because of an underlying administrative non-deployable reason. The R Flag is not a separation flag and is not intended to replace the requirement of a B Flag for field initiated separations or a W Flag for HQDA initiated separations.

n. Flag code S “No approved Family care plan.” Soldiers who fail to provide and maintain an adequate Family care plan, as required by AR 600–20, must be flagged. Effective date of the Flag will be the suspense date established by the commander for completion and approval of DA Form 5305 (Family Care Plan) with attendant documents in accordance with AR 600–20. Remove the Flag when the Family care plan is approved or recertified by the commander.

o. Flag code T “Deny automatic promotion to first lieutenant/chief warrant officer two.”

(1) *Regular Army warrant officer one or second lieutenant.* When promotion approval authority (lieutenant colonel (LTC) or higher commander) elects to deny an officer automatic promotion to CW2 or first lieutenant (1LT) in accordance with AR 600–8–29, he or she must Flag the officer. To ensure promotion orders are not erroneously published, the Flag must be input into HR systems no later than 90 days prior to the month of automatic promotion or the promotion approval authority, or his or her designee, must deny the promotion within the automatic promotion system in accordance with AR 600–8–29. Remove the Flag when the officer is reassigned to the transition point or, if the denial for promotion to 1LT or CW2 is held in abeyance for up to 6 months, remove the Flag when the commander elects to promote the officer.

(2) *U.S. Army Reserve warrant officer one or second lieutenant.* Officer must be flagged when identified as an unsatisfactory participant or when he or she has not met the military educational requirements 30 days prior to his or her minimum time in grade requirements in accordance with AR 135–155. Flag will be removed when commander identifies the officer as a satisfactory participant and officer meets the military educational requirements.

p. Flag code U “Drug abuse adverse action.” Initiate a Flag following: initiation of proceedings under UCMJ, ART 15; court-martial proceedings (immediately upon preferral of charges or pretrial confinement); civilian criminal charges, restraint, or confinement; pending a nonpunitive memorandum of reprimand, censure, or admonishment; or other disciplinary action for drug related offenses including, but not limited to, positive drug test in accordance with AR 600–85. The effective date of the Flag is the date of the offense. A Flag is initiated based on the adverse action resulting from the drug abuse-related incident. A Flag may not be initiated based on referral, screening, or enrollment into the ASAP. For first time drug offenses remove the Flag unfavorably (report type code D) when Soldier is reassigned to the transition point for separation or, if separation authority retains the Soldier, remove the Flag when punishment is complete, to include any period of suspension, probation, or parole. For second-time or higher drug offenses, remove the Flag when Soldier is reassigned to the transition point for separation (Regular Army) or discharge orders are published (USAR). If a show-cause board, administrative separation board, or separation authority retains the Soldier, the Flag must be removed by the General Court Martial Convening Authority when punishment is complete. This Flag may appropriately overlap with Flag code L or M above, as warranted.

q. Flag code V “Alcohol abuse adverse action.” Initiate a Flag following: initiation of proceedings under UCMJ, ART 15; court-martial proceedings (immediately upon preferral of charges or pretrial confinement); civilian criminal charges, restraint, or confinement; pending a nonpunitive memorandum of reprimand, censure, or admonishment; or other disciplinary action for alcohol related offenses including, but not limited to, driving under the influence, on-duty impairment due to alcohol consumption (AR 600–85), or drunk and disorderly conduct. The effective date of the Flag is the date of the offense. A Flag is initiated based on the adverse action resulting from the alcohol abuse-related incident. A Flag may not be initiated based on referral, screening, or enrollment into the ASAP. Remove the Flag unfavorably (report type code D) when the punishment is complete. This Flag may appropriately overlap with Flag code L or M above, as warranted.

r. Flag code W “Involuntary separation or discharge.” (Headquarters, Department of the Army initiated). Soldiers pending a Show Cause action, involuntary separation, or discharge (AR 635–200, AR 600–8–24, AR 135–175, or AR 135–178) to include selection for separation under the Qualitative Management Program, must be flagged (except entry level performance and conduct separations initiated under AR 635–200). Soldiers will not be flagged solely for referral, to include required referral, to the DES. The effective date of the Flag will be the date HQDA initiates an involuntary separation action. The Soldier will separate and the Flag will remain on the Soldier’s record,

this applies to both Regular Army and USAR Soldiers. HQDA initiated Flag is authenticated by HRC (AHRC–OPL–R (officer) or AHRC–EPF–M (enlisted)) (see para 1–10*d*).

2–3. Circumstances requiring a transferable Flag

A Soldier flagged under the provisions of this paragraph may be reassigned to another unit by following guidance in paragraph 2–8. The specific actions listed below require initiation of a transferable Flag (see table 2–1 and app B). More than one Flag may be required concurrently. Examples of circumstances requiring transferable Flag include—

a. Flag code H “Punishment phase.” Initiate a Flag when actions resulting from a court-martial, nonjudicial punishment, or punishment from a civil court have moved into the punishment phase and punishment does not include confinement, restraint, or geographical travel restrictions imposed by civilian courts as a condition of parole, probation, or suspended sentence as provided for in AR 27–10. Commanders will initiate a “Punishment Phase” Flag when the punishment period is 1 month or longer and will remove the “Adverse Action” Flag the same day unless additional adverse action is pending. Remove Flag upon completion of punishment.

b. Flag code J “Army Physical or Combat Fitness Test failure.” Initiate a Flag when a Soldier fails a record ACFT or when, through the Soldier’s fault as determined by the commander, the Soldier fails to take the ACFT within the time prescribed by existing regulations, or when directed by the commanding officer (as provided for in AR 350–1). A Flag is not required for a Soldier who has a permanent or temporary profile that precludes taking the ACFT or is unable to undergo an ACFT because of conditions beyond the Soldier’s control (as determined by the commander). Soldiers with a profile effective after the ACFT will remain flagged until a record ACFT is passed. A Flag is not required when the commander determines the Soldier cannot be administered an alternate ACFT because of conditions beyond the Soldier’s control. Soldiers who become pregnant, as determined by a physician, after being flagged for failing an ACFT will remain flagged until successfully passing an ACFT. Remove the Flag (code E) on date of compliance. If, as determined by a physician, the Soldier was pregnant at the time of ACFT failure, the commander will immediately remove the Flag (code Z).

c. Flag code K “Noncompliance with Army Body Composition Program.” The effective date of the Flag is the date that the Soldier was found to be in noncompliance with AR 600–9. The use of certain medication to treat an underlying medical disorder or the inability to perform all aerobic events may contribute to weight gain but are not considered sufficient justification for noncompliance with AR 600–9 and the Soldier will be flagged. Soldiers will not be exempt because of chronic medical conditions unless an exception to enrollment in the ABCP is granted by the DCS, G–1. In the case of a pregnant Soldier, if a physician determines that the Soldier became pregnant prior to being entered into the ABCP, the commander will close the Flag using codes KZ, not KE. If the Flag was initiated before pregnancy (as determined by her physician) the Flag will remain in effect until the Soldier complies with AR 600–9. Remove the Flag (code E) on date of compliance.

Table 2–1
Reason codes—Continued

Code	Reason	Nontransferable Flag
A	Adverse action	
B	Involuntary separation or discharge (field initiated)	
D	Referred OER, AER, or Relief for Cause NCOER.	
E	Security violation or loss of security clearance (field or HQDA initiated)	
F	Delay of promotion or removal from a selection list (HQDA initiated)	
I	AMEDD only failure to attain or maintain professional licensing, certification, and competency	
L	Commander’s investigation	
M	Law enforcement investigation	
N	USAR only Noncompliance with 10 USC 10206	
O	Judge Advocates, Legal Administrators, or Paralegals lack of professional licensing or certification	
P	Not recommended for automatic promotion to PV2, PFC, or SPC	
Q	Lautenberg Amendment.	
R	Admin Non-Deployable Retention Policy for Administrative Non-Deployable Soldiers.	
S	No approved Family care plan	

Table 2-1
Reason codes—Continued

Code	Reason	Nontransferable Flag
T	Not recommended for automatic promotion to 1LT or CW2	
U	Drug abuse adverse action	
V	Alcohol abuse adverse action	
W	Involuntary separation or discharge (HQDA initiated)	
	Transferable Flag	
H	Punishment phase	
J	ACFT Failure	
K	ABCP	

2-4. Effective date

The effective date of a Flag, unless otherwise specified in this regulation, will be the date that the circumstance(s) requiring the Flag occurred, not the date the Flag was initiated (for example, if the circumstance occurred on the 25th of March, but the Flag was not initiated until the 3^d of April, the effective date of the Flag would still be the 25th of March). The Flag is considered to have been in effect and any favorable action previously approved between these dates would be considered void.

2-5. Authentication

a. Unless otherwise specified in this regulation, only commanding officers, commandants, an officer/civilian with specific authority to sign “For the Commander” (for example, BN or higher executive officer, deputy commander, or adjutant), or HQDA general officer principal staff heads or their designee may authenticate a DA Form 268. Failure to counsel within prescribed times does not invalidate the Flag. The Commander, HRC (AHRC-PDV-PS) will authenticate adverse action DA Forms 268 or investigation DA Forms 268 initiated by HQDA.

b. U.S. Army Reserve Command (USARC), DCS, G-1 Personnel Management Division Chief, a civilian position, is authorized to authenticate a DA Form 268 for code "W" Flag (Involuntary Separation or Discharge) for officers identified to Show Cause for retention by HQDA centralized promotion selection boards and code "E" Flag (Security Violations) for officers who failed to initiate or have been denied a valid security clearance based on a final determination by DOD CAF.

2-6. Notification

The flagging authority, unit commander, or first line supervisor will counsel all Soldiers on active duty, in writing, upon initiation of any Flag within 3 working days unless notification would compromise an ongoing investigation. Soldiers not on active duty will be counseled regarding initiation of a Flag prior to the conclusion of the first training period following the date the Flag was initiated. Counseling should include reason for the Flag, requirement for Flag removal, and action prohibited by the Flag. All flagged Soldiers will be provided a copy of the DA Form 268 when the Flag is initiated. Soldiers will also be provided a copy of the DA Form 268 when a Flag is removed. Notifications for HQDA initiated Flag may be delayed to protect against the unintentional early release of a promotion board's results, but will be made as soon as practicable.

2-7. Rules for initiating a Flag

a. It is the commander's responsibility to ensure a DA Form 268 is immediately initiated on a Soldier and that the Flag is input into the HR systems when the Soldier's commander determines that one or more of the conditions in this regulation exist. Initiation of a Flag under such conditions is mandatory.

b. The Soldier's commander, a general officer, a commandant, or the head of a DA staff or field operating agency can direct the initiation of a Flag. Authentication of the DA Form 268 initiating the Flag will be in accordance with paragraph 2-5.

c. The unit commander and BN S-1 personnel should consult available sources (such as the training noncommissioned officer (NCO), legal clerk/officer, security manager (S-2), and first sergeant) to identify required flagging actions. They should also coordinate with the career counselor concerning the Soldier's eligibility for reenlistment.

d. The unit commander and BN S-1 personnel will coordinate all Flag with the supporting S-2 to determine if suspension of access to classified information is appropriate in accordance with the provisions of AR 380-67.

e. The BN S-1 or unit will notify the commander if the Soldier's ETS, ESA, maximum years of service, or mandatory retirement date/mandatory release date is within 45 days of initiation of the Flag. If the commander states that the case will extend beyond the Soldier's scheduled transition from active duty date, and if otherwise permitted by applicable regulations, the BN S-1 or unit will initiate action for authority to retain the Soldier beyond his or her scheduled transition date (see also para 3-2).

f. Commanders will initiate a separate Flag for each reason listed in this regulation for flagging a Soldier, if applicable.

g. The BDE S-1, MPD, and Assistant Chiefs of Staff, G-1 will provide oversight to ensure subordinate units are initiating and removing flagging actions in accordance with this regulation and, on a quarterly basis, will reconcile the Flag report with supporting ASAP and USACIDC offices.

2-8. Rules for transferring a Flag

a. The losing command is responsible for the web upload of all transferrable Flag documents to the Soldier's temporary administrative folder in the AMHRR. Filing instructions in accordance with AR 600-8-104:

(1) Records managers will only upload transferrable Flag for Soldiers that are PCSing, reassigning, or transferring between components.

(2) Web upload will occur no earlier than 30 days before a Soldier's PCS, reassignment, or transfer.

(3) All documents supporting the Flag will be web uploaded at the same time (DA Form 268 initiating the Flag, complete ABCP packet with monthly DA Form 5500 (Body Fat Content Worksheet (Male)) and DA Form 5501 (Body Fat Content Worksheet (Female)), DA Form 705 (Army Physical Fitness Test Scorecard), DA Form 4856 (Developmental Counseling Form), and so forth).

(4) Documents will only remain in the Soldier's record for 90 days after the create date in the AMHRR.

b. Gaining command is responsible for retrieving the transferrable Flag and supporting documentation from the incoming Soldier's AMHRR before the 90th day of the document create date and will verify the input of Flag data into the appropriate Human Resources system of record for Flag.

c. When a flagged Soldier is reassigned, the responsibility to manage the flagging action transfers to the gaining commander.

d. Normally, Soldiers with "open" Flag cases are not reassigned unless otherwise allowed in this regulation.

e. Soldiers with nontransferable Flag may be reassigned on a case-by-case basis when the Soldier's personnel management division at HRC or other component headquarters directs the transfer provided that, at the minimum, the following provisions are met:

(1) The losing command is willing to let the Soldier depart.

(2) The gaining command is willing to accept the flagged individual.

(3) All administrative actions (such as rebuttals to pending actions and directed AMHRR filings) have been accomplished.

(4) The Soldier does not have ongoing legal issues (except those outlined by transferable "Punishment Phase" Flag, para 2-3).

f. Flagged Soldiers on a HQDA centralized promotion list, promotable to 1LT through colonel (COL), CW2 through CW5 and sergeant first class (SFC) through sergeant major/command sergeant major (SGM/CSM) may not be reassigned without prior approval of the Commander, HRC (AHRC-PDV-PS), to ensure the Soldier does not PCS prior to completing all administrative requirements (rebuttals or AMHRR filing) and his or her presence is no longer required in the present command.

(1) Send Flag removal requests for officers and warrant officers to usarmy.knox.hrc.mbx.tagd-opsa@mail.mil.

(2) Send Flag removal requests for enlisted to usarmy.knox.hrc.mbx.tagd-sr-enlisted-promotions@mail.mil.

2-9. Removal of a Flag

a. General guidance.

(1) Only officers authorized to direct initiation of a Flag may direct removal of a Flag (for example, the unit commander, a general officer, commandant, or head of a DA staff or field operating agency) unless otherwise directed by this regulation or Commander, HRC (AHRC-PDV-P).

(2) Authentication will be in accordance with this regulation. For Soldiers separating while flagged, the DA Form 268 may be authenticated by the officer in charge of the in-and out-processing work center after coordination with the losing commander. For USAR and ARNG personnel, the final disposition of DA Form will be authenticated by the unit commander or by the personnel officer of the headquarters issuing the separation order.

(3) The unit commander, BN S-1 HR specialist, and unit administrator will consult with available sources (such as the training NCO, legal section, security manager, and first sergeant) to identify requirements to remove a Flag.

Once a Flag is removed, the BN S-1 or unit will notify the career counselor concerning the Soldier's eligibility for reenlistment and the security manager concerning access to classified information.

(4) DA Form 268 and supporting documentation removing a Flag must be maintained for 1 year by the unit or the HR office controlling the flagging action.

(5) A Flag closed as erroneous will be declared void and of no effect.

(6) Approved report type codes for removing Flag are in table 2-2.

(7) Unit initiated Flag on a Soldier who is also on an HQDA promotion list may only be removed by, or with the written consent of, Commander, or his or her delegated official, HRC (AHRC-PDV-P), 1600 Spearhead Division Avenue, Department 472, Fort Knox, KY 40122-5407 or usarmy.knox.hrc.mbx.tagd-opsa@mail.mil for Regular Army and USAR officers and usarmy.knox.hrc.mbx.tagd-sr-enlisted-promotions@mail.mil for Regular Army enlisted, or by Director, Army National Guard (HRH-I), 111 South George Mason Drive, Arlington, VA 22204-1373 for ARNG/ARNGUS personnel. This includes officers promotable to 1LT through COL, warrant officers promotable to CW2 through CW5, and enlisted Soldiers promotable to SFC through SGM/CSM.

b. Rules for removing a Flag are as follows:

(1) *Charges, restraint, confinement, court-martial, nonjudicial punishment and absent without leave (including alcohol related incidents).* Remove the Flag when the Soldier is acquitted at court-martial or civilian trial and no other adverse action arising from the incident or charges is contemplated; when UCMJ action is closed or dropped without action; or when punishment from court-martial, civilian trial, or nonjudicial punishment is completed. If a courtmartial has adjudged a punitive discharge, the individual will remain flagged until the conviction is final in accordance with Rule for Courts-Martial 1209, Manual for Courts-Martial. If there is a suspension of punishment (for example, under UCMJ, ART 15) or the imposition of probation or parole (usually for civilian misconduct), that individual will remain flagged until the suspension, probationary, or parole period is over. This does not include suspension of a driver's license. If the duration of punishment, suspension, probation, or parole is over 1 month, the unit should consider if the adverse action Flag should be converted to a transferable "Punishment Phase" Flag, if appropriate. In this case, the "Adverse Action" Flag is lifted the same date the "Punishment Phase" Flag is initiated. If the Soldier receives punishment and subsequently appeals, the Flag will be removed when punishment is complete; the Soldier will only remain flagged if the appeal puts the punishment on hold or suspension until either the adverse action is revoked or the punishment is complete.

(2) *For drug offenses.* Remove the Flag when Soldier is reassigned to the transition point for separation (Regular Army) or discharge orders are published (USAR). If a show-cause board, administrative separation board, or separation authority retains the Soldier, remove the Flag when punishment is complete, to include any period of suspension, probation, or parole. For second time drug offenses or higher, the Flag may only be removed by the General Court-Martial Convening Authority.

(3) *Administrative reduction.* Remove the Flag on the date of reduction.

(4) *Memorandum of admonishment, censure, or reprimand not administered as nonjudicial punishment.* Remove the Flag on the date the appropriate authority directs the filing of the signed memorandum (AR 600-37) or on the date the memorandum is rescinded without filing.

(5) *Involuntary separation or discharge.* Remove the Flag on the date HQDA or the appropriate commander approves retention of the Soldier, or on the date the Soldier is reassigned to the transition point (Regular Army) or discharge orders are published (USAR).

(6) *Pending delay of promotion or removal (Headquarters Department of the Army initiated) from a command, promotion, or school selection list.* The HQDA agency responsible for imposing the Flag will remove the Flag upon receipt of a decision from the appropriate authority.

(7) *Referred Officer Evaluation Report, Referred Academic Evaluation Report, or "Relief for Cause" Noncommissioned Officer Evaluation Report.* Remove the Flag on the date the evaluation is uploaded into the Soldier's AMHRR.

(8) *Security violations.* Requests for Flag removals for Regular Army Soldiers are routed to the Chief, Special Action Branch (AHRC-EPO-A). Requests for Flag removals for USAR Troop Program Unit (TPU) and AGR Soldiers assigned to Office of the Chief, Army Reserve (OCAR) or USARC and subordinate units are routed to OCAR (AFRC-PRP); AGR Soldiers assigned to units other than OCAR or USARC units, and Individual Ready Reserve/Individual Mobilization Augmentee Soldiers are routed to Chief, Special Action Branch (AHRC-EPO-A). Requests for Flag removals for National Guard Soldiers are routed to CNGB (Assistant Director, Personnel and Talent Management, Army National Guard (ARNG-HRZ)).

(a) *Security violation.* Request removal of the Flag upon direction of the commander at the LTC (O5) or above level, as appropriate, and update the DOD CAF, as necessary.

(b) *Criminal violation.* This includes violation of Title 18 USC concerning sabotage, espionage, treason, sedition, subversion, terrorist activity, deliberate compromise of classified information, or unauthorized disclosure of classified

information; violations of UCMJ, ARTs 94, 104, 106, or 106a; or offenses equivalent to those listed in this paragraph alleged as violations of UCMJ, ARTs 133 or 134. When the case is closed favorably, request the removal of the Flag and update the DOD CAF, as necessary. When the case is closed unfavorably, the Flag will be removed only upon direction of the Secretary of the Army.

(c) *Security clearance.* Request removal of the Flag when the Soldier's security clearance eligibility is granted or reinstated or on the date the Soldier is reassigned to the transition point for separation. For Soldiers with further Military Service Obligation whose security clearance eligibility is still revoked/denied, the Flag will be re-initiated at time of transfer into newly assigned component.

(9) *Commander's investigation.* Remove the Flag when one of the following conditions is met:

(a) The investigation results in no adverse findings against the Soldier.

(b) The Soldier is flagged for pending court-martial or nonjudicial or administrative disciplinary action resulting from the adverse findings of the commander's investigation.

(c) The commander decides to take no action against the Soldier.

(10) *Law enforcement investigation.* Remove the Flag when one of the following conditions is met:

(a) The completed DA Form 4833 is submitted to the provost marshal or USACIDC in accordance with AR 190–45.

(b) For civilian law enforcement investigations that are not joint military investigations, the Soldier is flagged for pending court-martial, nonjudicial or administrative disciplinary action, separation, or the commander decides to take no action on substantiated findings against a Soldier.

(11) *Denial of automatic promotion.*

(a) For automatic promotion to PV2, PFC, or SPC, remove the Flag no later than 3 working days following the date the Soldier would have been automatically promoted to PV2, PFC, or SPC.

(b) For Regular Army automatic promotion to CW2 or 1LT, remove the Flag when the officer is reassigned to the transition point or, if the denial for promotion to 1LT or CW2 is held in abeyance for up to 6 months, remove the Flag when the commander (LTC or higher) elects to promote the officer.

(c) For USAR automatic promotion to CW2 or 1LT, remove the Flag when the officer meets the requirements of a satisfactory participant and meets the military educational requirements or, if the denial for promotion to 1LT or CW2 is held in abeyance for up to 6 months, remove the Flag when the commander (LTC or higher) elects to promote the officer.

(12) *Lautenberg Amendment.* Remove the Flag when conviction is expunged, pardoned, or set aside by competent authority, or when the Soldier is reassigned to the transition point for separation (Regular Army) or discharge orders are published (USAR).

(13) *Family care plan.* Remove the Flag when the Family care plan is approved or recertified by the commander or when the Soldier is reassigned to the transition point for separation (Regular Army) or discharge orders are published (USAR).

(14) *Army Medical Department personnel not in compliance with AR 40–68.* Remove the Flag on the date of compliance, date of reclassification, or date of separation.

(15) *Noncompliance with 10 USC 10206 (U.S. Army Reserve).* Remove the Flag on date of compliance, ETS, ESA, or mandatory retirement date/mandatory release date.

(16) *Punishment phase.* Remove the Flag when punishment is complete, to include any period of suspension, probation, or parole.

(17) *Army Combat Fitness Test.* Remove the Flag on the date the Soldier passes the record ACFT.

(18) *Noncompliance with the Army Body Composition Program.* Remove the Flag on date of compliance. The date a Soldier completed a previous ABCP remains on the Flag report for 36 months. Release from the ABCP documentation must be uploaded to the AMHRR, temporary administrative folder, as outlined in Army Regulation 600–8–104 para 1–6b. If a physician determines that the Soldier became pregnant prior to being entered into the ABCP, the commander will close the Flag using codes KZ, not KE. Failure of the command to conduct monthly progress weigh-ins does not invalidate a properly imposed Flag and is not sufficient reason for Flag removal. Flag will not be removed as erroneous solely to clean-up a unit's Flag report.

(19) *Admin Non-Deployable Retention Policy for Administratively Non-Deployable Soldiers.* This Flag will remain in the system of record for Soldiers that are separated from service as a result of an administrative reason. Soldiers that are granted an exception for a specific administrative reason will have the Flag closed as RE. The R Flag will only be closed or removed from the top of the system by the appropriate Headquarters identified below.

(a) Requests for Flag removals for Regular Army Soldiers are routed to the Chief, Readiness Branch (DAPE–MPE–DR), office of the DCS, G–1.

(b) Requests for Flag removals for USAR TPU and AGR Soldiers assigned to OCAR or USARC and subordinate units are routed to OCAR (AFRC–PRP); AGR Soldiers assigned to units other than OCAR or USARC units, and Individual Ready Reserve/Individual Mobilization Augmentee Soldiers are routed to the office of the DCS, G–1 (DAPE–MPE–DR).

(c) Requests for Flag removals for National Guard Soldiers are routed to CNGB (Assistant Director, Personnel and Talent Management, Army National Guard (ARNG–HRZ)).

Table 2-2
Report Type Codes

Code	Report
C	Final report—favorable. This report is prepared when— a. Investigation finds no substantiated findings. b. Charges are dropped, Soldier is exonerated, or no disciplinary action is taken. c. Not used for ACFT or ABCP Flag removals.
D	Final report—unfavorable. This report is prepared when the investigation finds substantiated charges, and — a. The Soldier is in the Punishment Phase and the unit determines the flag should be converted from an "Adverse Action" Flag to a "Punishment Phase" Flag, or b. The punishment is completed. Punishment includes, but is not limited to forfeiture of pay, suspension, parole, probation, or memorandum of reprimand (local and AMHRR filed). c. Not used for ACFT or ABCP Flag removals.
E	Final report—specified. This report is prepared when— a. Soldier with an active Flag for ACFT failure passes a record ACFT (Flag code J). b. Soldier flagged for noncompliance with the ABCP, AR 600–9, subsequently meets the ABCP requirements (Flag code K). c. Commander's decision to block automatic promotion is removed (Flag codes P and T). d. Conviction is expunged, pardoned, or set aside by competent authority (Flag code Q). e. Soldier is granted an exception waiver for the underlying reason for administrative non-deployability (Flag code R). f. Soldier has an approved Family care plan (Flag code S). g. Soldier's license or certification is restored for AMEDD or JA (Flag codes I, O). h. USAR Soldier completes a periodic health assessment in accordance with 10 USC 10206 (Flag code N). NOTE. Do not use this code to close an erroneous Flag.
Z	Erroneous Report. Use this code to close erroneous Flag.

2–10. Records management

- a. Units will maintain the following:
 - (1) DA Form 268 and supporting documentation on active Flag for all Soldiers within their unit.
 - (2) Current suspension of favorable action report signed by the unit commander with required changes annotated. Report must also be signed by the BN commander if the report contains Flag over 6 months old.
 - (3) DA Form 268 (initiating and removing Flag) with supporting documentation on all closed Flag for 1 year.
 - (4) DA Form 268 with supporting documentation for 1 year on all Soldiers who PCS while flagged.
 - (5) DA Form 268 with supporting documentation for 1 year on all Soldiers who separate, retire, or are discharged while flagged.
- b. BN S–1s and MPDs (for non-Personnel Service Delivery Re-design units within their jurisdiction) will maintain current suspension of favorable action report signed by the unit commander for all assigned and attached units. Reports must also be signed by BN commander if the report contains Flag over 6 months old. File should contain supporting documents for annotated changes on the report.
- c. DA Form 268 will not be filed in the AMHRR except as an allied document to disciplinary, separation, or other actions outlined in 2–8 for transferrable Flag on PCSing Soldiers.
- d. All records will be maintained in compliance with AR 25–22.

Chapter 3

Prohibitions and Retention of Flagged Personnel

3-1. Actions prohibited by a Flag

A properly imposed Flag prohibits the following personnel actions unless otherwise specified in this regulation (to include para 1-10d):

- a. Appointment, reappointment, reenlistment, or extension unless authorized by AR 601-280, AR 135-180, AR 135-178, or AR 140-111.
- b. Reassignment with the following exceptions (See para 2-8 for additional guidance.):
 - (1) HRC Personnel Management Directorates (AHRC-OPZ (officer) and AHRC-EPZ (enlisted)) may approve waivers for reassignment requests on a case-by-case basis (not to be delegated below the directors). Directorates must coordinate with HRC promotions branch prior to approving waivers for Soldiers on a centralized DA promotion list.
 - (2) Commanders (Army commands, Army service component commands, and direct reporting units), in coordination with installation commanders or USAR regional commanders, may deem reassignment necessary for the purpose of maintaining good discipline, morale, or unit order. Soldier must be reassigned within the same installation or command. Soldiers with a nontransferable Flag may not be reassigned into the individual ready reserve.
 - (3) When a Soldier is returned to military control after being dropped from the rolls in accordance with AR 630-10.
 - (4) When a Flag remains in place because a Soldier is undergoing punishment based on a court-martial, civilian criminal trial, or nonjudicial proceedings under UCMJ, ART 15, and the punishment or sentence does not include confinement, restraint, or geographical travel restrictions imposed by civilian courts as a condition of parole, probation, or suspended sentence.
 - (5) When a Soldier is flagged solely based on ACFT failure or for enrollment in the ABCP.
 - (6) Family member's travel (when the sponsor is overseas) at Government expense to an overseas command due to PCS.
 - (7) Command sponsorship of Family members (when the sponsor is overseas) at Government expense or to an overseas command due to PCS.
- c. Appearance before a semi-centralized promotion board (AR 600-8-19).
- d. Promotions in grade, lateral appointments, and frocking (AR 600-8-19, AR 600-8-29, and AR 135-155).
- e. Recommendation for, and receipt of, individual awards and decorations. Exceptions to this policy are outlined in AR 600-8-22.
- f. Attendance at military or civilian schools. The waiver approval authority for attendance at military or civilian schools is the DCS, G-3/5/7 (DAMO-TR).
 - (1) For enlisted Soldiers, military schools include, but are not limited to, NCO Education System courses and functional area and skill qualification training. This does not include basic combat training, advanced individual training, and one-station unit training.
 - (2) For officers, military schools include, but are not limited to, Officer Education System courses and functional area and skill specialty training courses. The Basic Officer Leader courses are not included.
 - (3) Civilian schools are defined as those post-secondary and technical institutions in which a Soldier takes, either on a full or part-time basis, courses that were fully or partially funded by the Army. This does not apply to self-funded education courses taken at civilian schools.
 - (4) Soldiers enrolled in professional military or civilian schools who subsequently enter into the ABCP may, provided otherwise qualified, continue their course of study while in the ABCP.
 - (5) Attendance to a Duty Military Occupational Specialty Qualification, reclassification training for USAR Soldiers, while flagged for enrollment in the ABCP, is authorized.
- g. Application for or use of tuition assistance. Baseline eligibility requirements for tuition assistance preclude Soldiers under Flag from receiving tuition assistance benefits.
- h. Voluntary unqualified resignation, retirement, or discharge (AR 635-200, AR 600-8-24, AR 135-175, AR 135-178, AR 140-10, NGR 600-200 and NGR 635-100).
 - (1) Unless otherwise prohibited, commissioned and warrant officers may submit a request for unqualified resignation, discharge, or retirement for consideration by HQDA (or the appropriate regional commander) while flagged. However, officers pending a Promotion Review Board may not apply for voluntary unqualified resignation, retirement, or discharge until their promotion status is resolved.
 - (2) Enlisted Soldiers who are flagged may submit retirement applications to be considered on a case-by-case basis by the retirement approval authority (AR 635-200).

(3) USAR Soldiers (officer and enlisted), if qualified, may request reassignment to the Retired Reserve. Such requests will be considered on a case-by-case basis (AR 140–10).

(4) Enlisted Soldiers who are flagged may request voluntary separation under provisions of AR 635–200 or officers under provisions of AR 600–8–24.

i. Advance or excess leave, unless granted as an exception to policy by commanders in accordance with AR 600–8–10.

j. Payment of enlistment bonus or selective reenlistment bonus (AR 601–280). USAR Soldiers will not be processed for initial or anniversary payments while flagged except as authorized by AR 601–210.

k. Voluntary tour of duty as Active Duty for Operational Support, as outlined in AR 135–200.

l. Assumption of command (AR 600–20).

3–2. Retention beyond expiration of terms of service or mandatory retirement date

Soldiers will not be retained beyond their normal ETS, ESA, maximum years of service, or mandatory retirement date/mandatory release date solely because they are flagged. For Soldiers who are flagged and whose cases cannot be completed prior to separation, retention must be in accordance with AR 27–10, AR 600–8–24, AR 635–200, or AR 135–18.

Appendix A

References

Section I

Required Publications

AR 20–1

Inspector General Activities and Procedures (Cited in para 2–1*i*.)

AR 27–1

Judge Advocate Legal Services (Cited in para 2–2*j*.)

AR 27–10

Military Justice (Cited in para 2–3*a*.)

AR 27–26

Rules of Professional Conduct for Lawyers (Cited in para 2–2*j*.)

AR 40–68

Clinical Quality Management (Cited in para 2–2*f*.)

AR 135–18

The Active Guard Reserve Program (Cited in para 3–2.)

AR 135–175

Separation of Officers (Cited in para 1–10*d*.)

AR 135–178

Enlisted Administrative Separations (Cited in para 1–10*d*.)

AR 135–180

Retirement for Non-Regular Service (Cited in para 3–1*a*.)

AR 135–200

Active Duty for Missions, Projects, and Training for Reserve Component Soldiers (Cited in para 3–1*k*.)

AR 140–10

Assignments, Attachments, Details, and Transfers (Cited in para 3–1*h*.)

AR 140–111

U.S. Army Reserve Reenlistment Program (Cited in para 3–1*a*.)

AR 190–45

Law Enforcement Reporting (Cited in para 2–2*h*.)

AR 350–1

Army Training and Leader Development (Cited in para 2–3*b*.)

AR 380–67

Personnel Security Program (Cited in para 2–2*d*(1).)

AR 381–12

Threat Awareness and Reporting Program (Cited in para 2–2*d*(1).)

AR 600–8

Military Human Resources Management (Cited in para 1–1.)

AR 600–8–10

Leaves and Passes (Cited in para 3–1*i*.)

AR 600–8–19

Enlisted Promotions and Reductions (Cited in para 2–2*a*(2).)

AR 600–8–22

Military Awards (Cited in para 3–1*e*.)

AR 600–8–24

Officer Transfers and Discharges (Cited in para 1–10*d*.)

AR 600–8–29

Officer Promotions (Cited in para 2–2*o*(1).)

AR 600–9

The Army Body Composition Program (Cited in para 2–3*c*.)

AR 600–20

Army Command Policy (Cited in para 2–2*l*.)

AR 600–37

Unfavorable Information (Cited in para 2–9*b*(4).)

AR 600–63

Army Health Promotion (Cited in para 2–1*f*(3).)

AR 600–85

The Army Substance Abuse Program (Cited in para 2–2*p*.)

AR 601–280

Army Retention Program (Cited in para 3–1*a*.)

AR 630–10

Absence Without Leave, Desertion, and Administration of Personnel Involved in Civilian Court Proceedings (Cited in para 2–2*a*(4).)

AR 635–40

Disability Evaluation for Retention, Retirement, or Separation (Cited in para 1–10*d*.)

AR 635–200

Active Duty Enlisted Administrative Separations (Cited in para 1–10*d*.)

AR 735–5

Property Accountability Policies (Cited in para 2–2*g*.)

DA Pam 600–24

Health Promotion, Risk Reduction, and Suicide Prevention (Cited in para 1–4*c*(6)(*f*).)

DODI 1332.45

Retention Determinations for Non-Deployable Service Members (Cited in para 2–2*m*.)

Section II**Related Publications**

A related publication is a source of additional information. The user does not have to read a related publication to understand this publication. Army publications are available on the Army Publishing Directorate (APD) website at <https://armypubs.army.mil>. Department of Defense publications are available at <https://www.esd.whs.mil/dd/>. United States Codes are available at <https://uscode.house.gov/>. National Guard regulations are available at <https://www.ngbpmc.ng.mil/>.

AR 11–2

Managers' Internal Control Program

AR 15–6

Procedures for Investigations and Boards of Officers

AR 25–30

Army Publishing Program

AR 135–155

Promotion of Commissioned Officers and Warrant Officers Other than General Officers

AR 190–30

Military Police Investigations

AR 195–2

Criminal Investigation Activities

AR 600–8–101

Personnel Processing (In-, Out-, Soldier Readiness, and Deployment Cycle)

AR 600–8–104

Army Military Human Resource Records Management

AR 601–210

Regular Army and Reserve Components Enlistment Program

AR 623–3

Evaluation Reporting System

DODM 6025.13

Medical Quality Assurance (MQA) and Clinical Quality Management in the Military Health System (MHS)

FM 1–0

Human Resources Support

Lautenberg Amendment

Gun Control Act of 1968 (GCA) Title 18, USC Chapter 44, 922(g)(9), Pub.L. 104–208

NGR (AR) 600–85

Drug Abuse Prevention and Control

NGR 600–200

Enlisted Personnel Management

NGR 614–1

Inactive Army National Guard

NGR 635–101

Efficiency and Physical Fitness Boards

Rule for Courts–Martial 109

Professional supervision of military judges and counsel

Rule for Courts–Martial 303

Preliminary inquiry into reported offenses

Rule for Courts–Martial 1209

Finality of courts-martial

Security Executive Agent Directory 4

National Security Adjudicative Guidelines (Available at <https://www.dni.gov/index.php/ncsc-how-we-work/ncsc-security-executive-agent/ncsc-policy>.)

10 USC 1102

Confidentiality of medical quality assurance records: qualified immunity for participants

10 USC 3037

Judge Advocate General, Deputy Judge Advocate General, and general officers of Judge Advocate General's Corps: appointment; duties

10 USC 10206

Members: physical examinations

Section III**Prescribed Forms**

Unless otherwise indicated, DA forms are available on the Army Publishing Directorate Web site (<https://armypubs.army.mil>).

DA Form 268

Report to Suspend Favorable Personnel Actions (Flag) (Prescribed on title page.)

Section IV

Referenced Forms

Unless otherwise indicated, DA forms are available on the Army Publishing Directorate website (<https://armypubs.army.mil>) and DD forms are available on the Office of the Secretary of Defense website (<https://www.esd.whs.mil/directives/forms/>).

DA Form 11–2

Internal Control Evaluation Certification

DA Form 67–10–1

Company Grade Plate (O1–O3; WO1–CW2) Officer Evaluation Report)

DA Form 67–10–2

Field Grade Plate (O4–O5; CW3–CW5) Officer Evaluation Report)

DA Form 67–10–3

Strategic Grade Plate (O6) Officer Evaluation Report)

DA Form 67–10–4

Strategic Grade Plate General Officer Evaluation Report)

DA Form 705

Army Physical Fitness Test Scorecard

DA Form 1059

Service School Academic Evaluation Report

DA Form 1059–1

Civilian Institution Academic Evaluation Report

DA Form 1059–2

Senior Service and Command and General Staff College Academic Evaluation Report

DA Form 2028

Recommended Changes to Publications and Blank Forms

DA Form 2166–9–1

NCO Evaluation Report (SGT)

DA Form 2166–9–2

NCO Evaluation Report (SSG–1SG/MSG)

DA Form 2166–9–3

NCO Evaluation Report (CSM/SGM)

DA Form 4833

Commander's Report of Disciplinary or Administrative Action

DA Form 4856

Developmental Counseling Form

DA Form 5123

In and Out-Processing Records Checklist

DA Form 5305

Family Care Plan

DA Form 5500

Body Fat Content Worksheet (Male)

DA Form 5501

Body Fat Content Worksheet (Female)

DD Form 200

Financial Liability Investigation of Property Loss

Appendix B

Quick Reference Pull-out

B-1. Purpose

The quick reference pull-out denotes Flag codes and report type codes associated for each. Greyed out areas indicate that report type code is not available for use with that Flag code (see fig B-1).

B-2. Use

Figure B-1 should be used in conjunction with DA Form 268 for Flag initiation and removal actions within the appropriate system of record.

FLAG QUICK REFERENCE

Flag Code	Flag Reason	Report Type Codes				
		A	C	D	E	Z
A	Adverse Action (except Reason Codes H, U, and V)	✓	✓	✓		✓
B	Involuntary Separation or Discharge (Field Initiated)	✓	✓	✓		✓
D	Referred OER, AER, or Relief for Cause NCOER	✓		✓		✓
E	Security Violation or Loss of Security Clearance (Field or HQDA Initiated)	✓	✓	✓		✓
F	HQDA Delay of Promotion or Removal from a Selection List (HQDA Initiated)	✓	✓	✓		✓
H	Punishment Phase (Adverse Action) ***Transferable Flag***	✓		✓		✓
I	AMEDD only - Failure to Attain or Maintain a License or Certification	✓			✓	✓
J	Army Combat Fitness Test Failure ***Transferable Flag***	✓			✓	✓
K	Army Body Composition Program ***Transferable Flag***	✓			✓	✓
L	Commanders Investigation	✓	✓	✓		✓
M	Law Enforcement Investigation	✓	✓	✓		✓
N	ARNG and USAR only - Non-compliance with 10 USC Section 10206	✓			✓	✓
O	Judge Advocates, Legal Administrators, or Paralegals Lack of Licensing or Certification	✓			✓	✓
P	Deny Automatic Promotion to PV2/PFC/SPC	✓			✓	✓
Q	Lautenberg Amendment	✓			✓	✓
R	Admin Non-Deployable Retention Policy for Administratively Non-Deployable Soldiers	✓			✓	✓
S	No Family Care Plan	✓			✓	✓
T	Deny Automatic Promotion to 1LT/CW2	✓			✓	✓
U	Drug Abuse (Adverse Action)	✓	✓	✓		✓
V	Alcohol Abuse (Adverse Action)	✓	✓	✓		✓
W	Involuntary Separation or Discharge (HQDA Initiated)	✓	✓	✓		✓

Note: Report Type Codes are:

A – Initial. Prepare this report in every instance that requires initiation of a Flag.

C – Final Report – Favorable. Prepare this report when –

1. An investigation results in no substantiated findings or charges are dropped.
2. Soldier is exonerated, or when absolutely no disciplinary action is taken.
3. Do not use this report code for ACFT or ABCP flag removals.

D – Final Report – Unfavorable. Prepare this report when –

1. The investigation finds substantiated charges or allegations; or -
2. The punishment is completed. Punishment includes locally filed GOMOR or LOR.
3. Do not use this report code for ACFT or ABCP flag removals.

E – Final Report – Specified. Prepare this report when –

1. The Soldier with an active Flag for ACFT failure passes a record ACFT (Flag code J).
2. The Soldier with an active Flag for ABCP non-compliance subsequently meets the Army body composition standard (Flag code K).
3. The commander's decision to block an automatic promotion is removed (Flag codes P and T).
4. The conviction is expunged, pardoned, or set aside by competent authority (Flag code Q).
5. The Soldier receives an approved waiver, from the appropriate HQ, for the administrative reason for nondeployability (Flag code R).
6. The Soldier's Family care plan is certified (Flag code S).
7. The Soldier's license or certification is restored for AMEDD, Judge Advocates, legal administrators, or paralegals (Flag codes I, O).
8. The Army Reserve Soldier completes a periodic health assessment IAW 10 USC §10206 (Flag code N).

Note: Do not use report type code E to close erroneous Flags.

Z – Erroneous Report. Use this report to close flags that have been deemed to have been emplaced erroneously.

Figure B–1. Flag Quick Reference

Appendix C

Internal Control Evaluation

C-1. Function

The function covered by this evaluation is the management of Flag.

C-2. Purpose

The purpose of this evaluation is to assist commanders, S-1s, G-1s, and installation MPDs in evaluating the key internal controls listed below. It is not intended to cover all controls.

C-3. Instructions

Answers must be based on actual testing of key internal controls (for example, document analysis, direct observation, interviewing, sampling, simulation, or other). Answers that indicate deficiencies must be explained and the corrective action identified in supporting documentation. These internal controls must be evaluated at the BN and unit level at least once every 2 years and at the BDE, division, corps, installation, USAR regional support levels at least once every 5 years. Certification that the evaluation has been conducted must be accomplished on DA Form 11-2 (Internal Control Evaluation Certification).

C-4. Test questions

a. Unit commanders.

- (1) Are procedures in place to ensure only those with a “need to know” of a Flag are informed?
- (2) Are commanders including Flag data into their Soldier Risk Reduction Program in accordance with DA Pam 600-24?
- (3) Are procedures in place to ensure favorable actions are not granted when prohibited by this regulation?
- (4) Are commanders initiating a Flag in a timely manner when a Soldier is under investigation or when a Soldier’s status changes from favorable to unfavorable?
- (5) Are separate Flag being initiated for each incident or action against a Soldier?
- (6) Is the DA Form 268 being properly prepared and authenticated by the unit commander and submitted to the S-1 with supporting documents for input into HR systems?
- (7) Is the flagging authority, commander, or first line supervisor counseling all flagged Soldiers on the reason for the Flag, requirements for Flag removal, and actions prohibited by the Flag?
- (8) Are commanders reviewing each Flag and Flag report monthly to ensure each Flag is valid and that all Soldiers that should be flagged are flagged (ACFT, ABCP, investigation, legal, ASAP, and so forth)?
- (9) After reviewing the Flag report, are commanders submitting required updates to the S-1 with supporting documentation in a timely manner?
- (10) Is the DA Form 268 being validated by BN commander for all Flag that are older than 6 months old?
- (11) Are commanders removing a Flag in a timely manner when a Soldier’s status changes from unfavorable to favorable?
- (12) Are procedures in place to ensure the required documents are uploaded to the AMHRR in accordance with AR 600-8-104, for Soldiers that are removed from the ABCP?
- (13) Are original DA Forms 268 being retained for 1 year for each Flag closed and filed with supporting documents?

b. Battalion commanders and/or adjutants.

- (1) Are procedures in place to ensure favorable actions are not granted when prohibited by this regulation?
- (2) Are S-1s printing Flag reports monthly for unit commanders’ review and signature?
- (3) Are procedures in place to reconcile Flag reports with the following staff sections?
 - (a) Judge Advocate (investigations, adverse actions, separations).
 - (b) Retention NCO (retain codes).
 - (c) S-2 (security violations, suspension of clearances).
 - (d) ASAP (drug and alcohol offenses).
 - (e) S-1 (evaluations, promotions, Family care plans).
- (4) Is the S-1 validating accuracy of DA Form 268 with supporting documentation?
- (5) Is the S-1 inputting Flag into and removing Flag from the HR systems in a timely manner?
- (6) Are procedures in place to ensure Flag are not removed by the unit on Soldiers who are on a HQDA (centralized) promotion list without approval of HRC?

- (7) Are procedures in place to ensure Soldiers do not PCS or separate with nontransferable Flag?
- (8) Are procedures in place to ensure transferable Flag and supporting documentation are uploaded to the Soldier's AMHRR in accordance with AR 600–8–104?
- (9) Are procedures in place to ensure the required documents are uploaded to the AMHRR in accordance with AR 600–8–104, for Soldiers that are removed from the ABCP?
- (10) Are BN commanders reviewing and validating all Flag over 6 months?
- c. Brigade commanders and/or adjutants and military personnel divisions.*
- (1) Are procedures in place to provide oversight of Flag management (Organization Inspection Program, command and staff, and so forth)?
- (2) Are procedures in place to ensure favorable actions are not granted when prohibited by this regulation?
- (3) Are procedures in place to reconcile Flag reports with the following staff sections?
- (a) Judge Advocate (investigations, adverse actions, separations).*
- (b) Retention NCO (retain codes).*
- (c) S–2 (security violations, suspension of clearances).*
- (d) ASAP (drug and alcohol offenses).*
- (e) S–1 (evaluations, promotions, Family care plans).*
- d. Deputy Chief of Staff, G–1, installation adjutant generals, or regional personnel service centers.*
- (1) Are procedures in place to provide oversight of Flag management?
- (2) Are procedures in place to reconcile Flag rosters with installation USACIDC investigations and ASAP violations?
- (3) Are procedures in place to ensure Soldiers do not PCS or separate with nontransferable Flag?
- (4) Are procedures in place to ensure transferable Flag and supporting documentation are uploaded to the Soldier's AMHRR in accordance with AR 600–8–104?
- (5) Are procedures in place to ensure the required documents are uploaded to the AMHRR in accordance with AR 600–8–104, for Soldier's that are removed from the ABCP?
- (6) Are installations including Flag data into their Soldier Risk Reduction Program in accordance with DA Pam 600–24?

C–5. Supersession

This evaluation does not replace any previous evaluation.

C–6. Comments

To help improve this review tool, submit comments to Commander, U.S. Army Human Resources Command (AHRC–PDV–P), 1600 Spearhead Division Avenue, Department 472, Fort Knox, KY 40122–5407 or usarmy.knox.hrc.mbx.tagd-opsa@mail.mil.

Glossary

Section I

Abbreviations

ABCP

Army Body Composition Program

ACFT

Army Combat Fitness Test

AD

Army Directive

AER

academic evaluation report

AGR

Active Guard Reserve

AMEDD

Army Medical Department

AMHRR

Army Military Human Resource Record

AR

Army regulation

ARIMS

Army Record Information Management System

ARNG

Army National Guard

ARNGUS

Army National Guard of the United States

ART

article

ASAP

Army Substance Abuse Program

AWOL

absent without leave

BDE

brigade

BN

Battalion

CAF

Consolidated Adjudications Facility

CAR

Chief, Army Reserve

CG

commanding general

CNGB

Chief, National Guard Bureau

COL

colonel

CSM

command sergeant major

CW2

chief warrant officer two

CW3

chief warrant officer three

CW5

chief warrant officer five

DA

Department of the Army

DCS

Deputy Chief of Staff

DES

Disability Evaluation System

DOD

Department of the Defense

DODI

Department of the Defense Instruction

DODM

Department of the Defense Manual

ESA

expiration of service agreement

ETS

expiration term of service

HQDA

Headquarters, Department of the Army

HR

human resources

HRC

U.S. Army Human Resources Command

LTC

lieutenant colonel

MOS

military occupational specialty

MPD

military personnel division

MSG

master sergeant

NCO

noncommissioned officer

NCOER

noncommissioned officer evaluation report

NGR

National Guard regulation

OCAR

Office of the Chief, Army Reserve

OER

officer evaluation report

PCS

permanent change of station

PFC

private first class

PV2

private enlisted two

RMDA

U.S. Army Records Management and Declassification Agency

S-1

adjutant

S-2

intelligence officer

SFC

sergeant first class

SGM

sergeant major

SGT

sergeant

SPC

specialist

SSG

staff sergeant

TPU

troop program unit

UCMJ

Uniform Code of Military Justice

USACIDC

U.S. Army Criminal Investigation Command

USAR

U.S. Army Reserve

USARC

U.S. Army Reserve Command

USC

United States Code

1LT

first lieutenant

Section II**Terms****Active duty**

Full-time duty in the active military Service of the United States. This includes full-time training duty, annual training duty, and attendance while in the active military Service, at a school designated a Service by law or by the Secretary of the military department concerned.

Commander

A head of an Army staff or field operating agency or an officer with the position title “commander” or “commandant.”

Commander's inquiry

A preliminary inquiry into a suspected offense, as defined by Rule for Courts-Martial 303 in the Manual for Courts-Martial. This rule provides commanders with the authority to conduct basic inquiries or more extensive investigations, as needed, to fulfill the commander's obligation to investigate and dispose of offenses in compliance with the UCMJ. As used in this regulation, commander's inquiry is meant to be broadly interpreted to include any inquiry into charges or suspected offenses made or ordered by a commander.

Flag

Suspension of favorable personnel action.

Frocking

Commissioned officer or NCO selected for promotion wearing the insignia of the higher grade before the official date of promotion. An officer or NCO who has been selected for promotion may be authorized to "frock" to the next grade.

Military police

Any type of DOD (to include other Services), U.S. Army police, or security forces responsible for performing law enforcement or security on military installations.

Personnel security investigation

Determines a person's eligibility for access to classified information, assignment, or retention in sensitive duties, or other designated duties requiring such investigations.

Policy

General statement governing objectives of a functional area (within the purview of the Office of the DCS for personnel policy proponent).

Respondent

A person designated by a board, pursuant to AR 15-6, to be involved in an incident or event under investigation in such a way that disciplinary action may follow, the person's rights or privileges may be adversely affected, or the person's reputation or professional standing may be jeopardized.

Subject

A person involved in an incident or event under investigation in such a way that disciplinary action may follow, the person's rights or privileges may be adversely affected, or the person's reputation or professional standing may be jeopardized. Although subject and suspect are often used interchangeably, the subject of an investigation may not be suspected of violating a criminal law, but rather failure to comply with a duty, obligation, regulation, or other requirement that could result in adverse action.

Substantiated

When a commander, investigating officer, or law enforcement officer determines that there is sufficient evidence to believe a Soldier has committed a criminal offense (usually probable cause) or a Soldier has failed to comply with a duty, obligation, regulation, or other requirement.

Suspect

A person about whom some credible information exists to believe that the person committed a particular criminal offense.

Unit

An organization, agency, or activity.

Work center

Clearly defined organization element recognized as the basis for manpower requirements.

UNCLASSIFIED

PIN 062519-000